

No. 2:14-CV-00078-JLQ

ORDER DENYING MOTION  
FOR PROTECTIVE ORDER

1 cause exists for a protective order. Instead, the parties seek an extremely broad protective  
2 order that applies to "any documents, written or other that contain any personal  
3 information regarding any third-party in the above-referenced matter or not a party  
4 hereto....". (ECF No. 14-1, p. 2). The "good cause" requirement of Fed.R.Civ.P. 26(c)  
5 pertains to "a party or person." The Ninth Circuit recently stated: "The plain meaning of  
6 the word 'person' would include third parties who are not part of the litigation. Thus, we  
7 cannot logically exclude third parties from our rule that whoever is seeking protection  
8 under Rule 26(c) bears the burden of showing good cause." *In the Matter of Roman*  
9 *Catholic Archbishop*, 661 F.3d 417, 426 (9th Cir. 2011).

10 **IT IS HEREBY ORDERED:**

11 1. The Motion to Expedite (ECF No. 15) is **GRANTED**.  
12 2. The Motion for Protective Order (ECF No. 14) is **DENIED**.  
13 3. The parties are free to make agreements concerning the conduct and  
14 confidentiality of discovery, and apparently have so agreed. While the court will not  
15 enter a Protective Order without a particularized showing as to specific documents, the  
16 denial of court participation in the agreement between the parties shall not affect the  
17 validity of the agreement as between the parties. The parties have stipulated to terms and  
18 conditions to maintain the confidentiality of certain documents. Should the parties have  
19 need to file any of the documents with the court, they may file the documents under seal  
20 along with a motion to seal, and at that time the court will determine if it is appropriate to  
21 seal the documents. The parties shall also comply with Fed.R.Civ.P. 5.2 concerning  
22 privacy protections for filings made with the court.

23 **IT IS SO ORDERED.** The Clerk is hereby directed to file this Order and furnish  
24 copies to counsel.

25 **DATED** this 16th day of July, 2014.

26 s/ Justin L. Quackenbush  
27 JUSTIN L. QUACKENBUSH  
28 SENIOR UNITED STATES DISTRICT JUDGE